

O I P Customer No. 26308

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 18 2007

Application of: Gary J. Pond  
Serial No.: 10/820,931  
Filed: 8 April 2004  
For: Irrigation Tip Adaptor for Ultrasonic Handpiece

Group No. 3732  
Examiner: Melba N. Bumgarner

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed 16 May 2007 finally rejecting claims 1-5 and 9.

The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

other than a small entity  
 small entity

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

small entity \$250.00  
 other than a small entity \$500.00

**Notice of Appeal fee due \$ 250.00**

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a)  Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1) - (a)(5)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input type="checkbox"/>	three months	\$1,020.00	\$510.00
<input type="checkbox"/>	four months	\$1,590.00	\$795.00

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**Fee \$ 60.00**

02 FC:2251

60.00 OP

250.00 OP

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed as follows: Mail Stop AF, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Julie A. Wolf

(Typed or print name of person mailing paper)

9/13/2007  
(Date)

Julie A. Wolf  
Signature of person mailing paper

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01 FC:2401

If an additional extension of time is required please consider this a petition therefor.

[ ] An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

(b) [ ] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 250.00

Extension fee (if any) \$ 60.00

**TOTAL FEE DUE \$ 310.00**

#### 5. FEE PAYMENT

[X] Attached is a check in the sum of \$ 310.00  
[ ] Charge Account No. 06-2360 the sum of \$ \_\_\_\_\_.  
A duplicate of this transmittal is attached.

#### 6. FEE DEFICIENCY

[X] If any additional extension and/or fee is required charge Account No. 06-2360  
[X] If any additional fee for claims is required, charge Account No. 06-2360.  
[X] If any additional Appeal fee is required, charge Account No. 06-2360.

Reg. No. 55,185

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Signature of Attorney

Patrick J. Fleis

Type or print name of attorney

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